

BARNES & THORNBURG



11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 1614
Attorney
Docket: 3051-67789
Applicant: Jason Scott Sawyer, et al.
Invention: METHODS FOR
IDENTIFYING AND
TREATING RESISTANT
TUMORS
Appl. No: 09/836,567
Confirmation No.: 8145
Filed: April 17, 2001
Examiner: Unknown

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on July 26, 2001

Pon Leigh Wilson
Signature

Von Wilson
Type Name

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION AND REQUEST FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D.C. 20231

BOX Missing Parts

08/01/2001 NROCHA1 00000073 09836567

Q2 FC:115

110.00 0P

Sir:

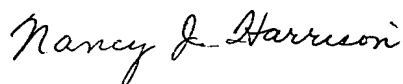
A Notice to File Missing Parts of Nonprovisional Application was mailed May 9, 2001. A copy of that Notice is enclosed with this reply. In response, and as permitted under 1.63(d), Applicants submit herewith a copy of the Declaration and Power of Attorney for Patent Application executed in their prior nonprovisional application Serial No. 08/793,659, filed August 31, 1995.

Applicants hereby petition for a one-month extension of the period for response to this Notice, which would extend the period to August 9, 2001. Enclosed is a check for **\$240**, which includes **\$130** for the late filing of the declaration and **\$110** for the one-month extension for response.

Please charge any additional fees, or credit any overpayment, in connection with this request to **Barnes & Thornburg's deposit account 10-0435** with reference to matter no. **3051-67789**. A duplicate copy of this authorization is enclosed.

Applicants submit that this application is now in condition for favorable consideration, culminating in allowance, and respectfully request such action.

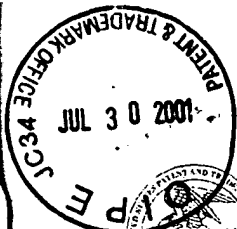
Respectfully submitted,



Nancy J. Harrison
Attorney Registration No. 27,083

NJH:vlw
Indianapolis, Indiana
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/836,567	04/17/2001	Jason Scott Sawyer	3051-67789

CONFIRMATION NO. 8145

FORMALITIES LETTER



OC00000006058199

BARNES & THORNBURG
11 South Meridian Street
Indianapolis, IN 46204

Date Mailed: 05/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

01/2001 NROCHA1 00000073 09836567

FC:105 130.00 00

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



44 CO
8-2-01

Section
\$ #3

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/836,567
Filing Date	April 17, 2001
First Named Inventor	Jason Scott Sawyer
Examiner Name	Unknown
Group Art Unit	1614
Attorney Docket No.	3051-67789

TOTAL AMOUNT OF PAYMENT

\$240.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

10-0435

Deposit
Account
Name

Barnes & Thornburg

- ☒ Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR § 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Description

Fee Paid

101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

SUBTOTAL (1)

2. EXTRA CLAIM FEES

Extra Claims

Fee from
below

Fee Paid

Total Claims -20** = 0 X = 0.00

Independent Claims -3** = 0 X = 0.00

Multiple Dependent

=

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Description

Fee Description

103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 ** Reissue independent claims
over original patent

110 18 210 9 ** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2)

\$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee
Code (\$) Code (\$) Description

Fee Description

Fee Paid

105 130 205 65 Surcharge - late filing fee or oath

130.00

127 50 227 25 Surcharge - late provisional filing fee or cover
sheet

139 130 139 130 Non - English specification

147 2,520 147 2,520 For filing a request for ex parte reexamination

112 920* 112 920* Requesting publication of SIR prior to Examiner
action

113 1,840* 113 1,840* Requesting publication of SIR after Examiner
action

115 110 215 55 Extension for reply within first month

110.00

116 390 216 195 Extension for reply within second month

117 890 217 445 Extension for reply within third month

118 1,390 218 695 Extension for reply within fourth month

128 1,890 228 945 Extension for reply within fifth month

119 310 219 155 Notice of Appeal

120 310 220 155 Filing a brief in support of an appeal

121 270 221 135 Request for oral hearing

138 1,510 138 1,510 Petition to institute a public use proceeding

140 110 240 55 Petition to revive - unavoidable

141 1,240 241 620 Petition to revive - unintentional

142 1,240 242 620 Utility issue fee (or reissue)

143 440 243 220 Design issue fee

144 600 244 300 Plant issue fee

122 130 122 130 Petitions to the Commissioner

123 50 123 50 Processing fee under 37 CFR § 1.17(q)

126 180 126 180 Submission of Information Disclosure
Statement

581 40 581 40 Recording each patent assignment per property
(times number of properties)

146 710 246 355 Filing a submission after final rejection
(37 CFR § 1.129(a))

149 710 249 355 For each additional invention to be examined
(37 CFR § 1.129(b))

179 710 279 355 Request for Continued Examination (RCE)

169 900 169 900 Request for expedited examination
of a design application

Other fee (specify)

SUBMITTED BY

Name (Print/Type)

Steven R. Lammert

Registration No.
(Attorney/Agent)

27,653

Complete (if applicable)

Telephone

317-231-7258

Signature

Steven R. Lammert

Date

July 26, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.